

CITY OF HORSESHOE BAY

PLANNING AND ZONING COMMISSION



JUNE 6, 2017
3:00 P.M.

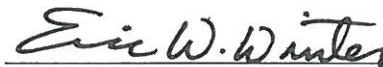
CITY OF HORSESHOE BAY

PLANNING AND ZONING COMMISSION NOTICE OF REGULAR PUBLIC MEETING

June 6, 2017

Notice is hereby given to all interested members of the public that the Horseshoe Bay Planning and Zoning Commission will hold its Regular Public Meeting beginning at 3:00 p.m., on Tuesday, June 6, 2017 in the City Council Chambers at City Hall, #1 Community Drive, Horseshoe Bay, Llano County, Texas. The agenda for the Regular Public Meeting is to discuss and/or act on the following:

1. Call the Meeting to Order and Establish a Quorum
2. Public Comments (those speaking are asked to limit their comments to three minutes)
3. Approval of Minutes of the May 2, 2017 Regular Meeting
4. Final update from Commission Members regarding progress reviewing the Zoning Ordinance text for the Zones they have been assigned
5. Final update from Commission Members regarding progress on field checks of land use maps they have been assigned
6. Adjournment



Eric W. Winter, Development Services Dir.

The Planning and Zoning Commission may go into closed session, if necessary and appropriate, pursuant to the applicable section of the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapter D, on any matter that may come before the Commission that is listed on the Agenda and for which a closed session is authorized. No final action, decision, or vote will be taken by the Commission on any subject or matter while in closed session. Any action, decision or vote will be taken by the Commission only in open meeting.

CITY OF HORSESHOE BAY
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING

May 2, 2017

The Planning and Zoning Commission of the City of Horseshoe Bay held a Regular Meeting at City Hall, in the City Council Chambers located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on May 2, 2017, in accordance with the duly posted notice of said meeting.

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum:

Chairman Norm Long called the meeting to order at 3:00 p.m. with a quorum of Commission Members present as follows:

Chairman: Norm Long
Commission Member: Neil Andrew
Commission Member: Lynette Morrison
Commission Member: Pat Bouchard
Commission Member: Wayne Anderson

2. Public Comments:

Mayor Steve Jordan, Mayor Pro-Tem Craig Hayden, Council Member Kent Graham, Mike Walsh, Ron Mitchell, and approximately 20 public members were in attendance.

3. Approval of Minutes of the April 4, 2017 Regular Meeting:

Commission Member Neil Andrew made a motion to approve the minutes, seconded by Commission Member Pat Bouchard. The motion passed unanimously (5-0).

4. Public hearing, discuss, consider and take action for a recommendation to City Council regarding a request for an Ordinance Amendment to Article 14.02 Zoning Ordinance and the Zoning Map a) Deleting Exhibit J Siena Grove Planned Development in Zone 10 Siena Creek; and b) Creating new Exhibit J The Villages of Siena Grove Planned Development in Zone 18 The Parks at Horseshoe Bay on Tract A, an approximately 13.96 acre tract, and rezoning Tract A from C-2 Commercial to MU-C2-RPD (Mixed Use C-2 Commercial Residential Planned Development) with a mix of assisted living, memory care, and independent living uses including a 71 unit 3-story building and 17 duplex rental units, and associated amenities. The property is located on the southeast side of FM 2147, beginning approximately 1,650 feet northeast of the intersection of FM

2147 and State Hwy. 71 and running northeast approximately 500 feet. Mike Walsh, Applicant:

Chairman Norm Long called on Eric Winter who thanked Commission Member Lynette Morrison for bringing a number of the application items to his attention. Eric Winter asked Mike Walsh for clarification regarding the information provided on the public notice - specifically the 4,886 square feet for resident and public areas. Mr. Walsh confirmed that it was not intended to be representative of the entire project's square footage.

Mr. Winter then gave a summary of his review of the proposed The Villages of Siena Grove PD Ordinance and the previously approved Siena Grove PD Ordinance, providing the Commission with information on the differences between the two projects. A suggestion was made that as part of the approval of the project, the Commission may want to require that a temporary road for construction be provided from SH 71 so that construction traffic and noise affecting residents in Bay Country may be reduced. This road could also be required to be permanent in the future to provide access and utilities to the remaining area of The Parks at Horseshoe Bay PD.

Mr. Winter also outlined a list of outstanding application items. Mike Walsh was asked whether the project will be age-restricted, to which he said he was not aware if there is an age-restriction on independent living units, but that he will look into it. Mr. Winter listed a number of items which still needed to be provided and added to the PD Ordinance by the applicant, including: the sizes of the casitas, the impervious cover for the site (not to exceed 50% of the lot area), and a definition of the net site area. Mr. Winter then reviewed the differences in the number and types of buildings between the Siena Grove PD and the proposed The Villages of Siena Grove PD. A review of staff comments regarding the Concept Plan and the PD Ordinance was also provided.

Among the items that were reviewed, Mr. Winter noted that an increase in allowable height for the 3 story independent living building was requested to a maximum of 45' in order to accommodate a sloped roof. The PD Ordinance still needed to provide information regarding the establishment of The Parks at Horseshoe Bay CC&Rs, the establishment of The Parks at Horseshoe Bay Architectural Control Committee (ACC), as well as the approval by the ACC of The Villages of Siena Grove Concept Plan and the rezoning request.

Staff was aware of an objection to the project at the current location and that other residents in Bay Country were also concerned. Primary objections stemmed from the previously proposed additional entrance on FM 2147 (which had since been changed to a gated emergency-access only entrance) and the additional traffic that will be generated by the project.

Chairman Norm Long opened the public hearing and called on Mike Walsh to discuss his plans. Mr. Walsh began by providing a background of the project and noted that there was a change in management companies when they decided to move the project from the Stonehouse Tract to the current tract in The Parks at Horseshoe Bay. Per a new market study done by the management company, the number of assisted living units went from 30 to 46, the memory care units went from 24 to 38, and the rental units increased from 8 detached residences to 17 duplexes. Some of the services were shrunk down to accommodate the new mix of units. The entrance of the current project was also moved further south on FM 2147, which is the main entrance of The Parks at Horseshoe Bay property.

Commission Member Pat Bouchard asked for clarification on whether the independent living units will be offered for purchase or rental. Mr. Walsh confirmed that they will be rental and that the target market is for older couples where one of the spouses requires some form of medical care but is not in a position where they need to be in an assisted living environment. Per a question from Commission Member Wayne Anderson, Mr. Walsh also noted that there will be no nursing care facilities included in the project other than the EMS station. Most of the medical-type facilities will be in the memory care units.

Commission Member Pat Bouchard inquired whether the parking ratio was established through an industry-standard, to which Mr. Walsh provided a summary of the parking numbers per facility type. There was also discussion about the phasing of the project - the independent living, the assisted living, and the memory care units will all go in simultaneously. The only portion of the project that will be phased are the additional independent living apartments (30 units) and the duplexes, which will be built out based on demand.

Chairman Norm Long asked Mr. Walsh for clarification on the difference between the target market for the casitas and the independent living units. Mr. Walsh stated that the casitas will provide for a transition between living in a single-family residence and a condominium-type situation.

Commission Member Lynette Morrison brought up the notion stated in the Long Range Plan whereby there is an emphasis on safe, neighborly living as neighborhoods are developed with houses that are oriented towards one another, allowing for a stronger sense of community. She asked that Mr. Walsh give that design concept consideration.

Chairman Norm Long opened the floor to members of the audience. Becky Collins asked for clarification regarding the tenant-type for the rental casitas, to which Mr. Walsh confirmed that the tenants will have to be residents of the project - they will not be leased to staff or other individuals who are simply looking for rental housing. Mike Walsh also said that typically, the age group for the project will be individuals in their upper 70s. Ms. Collins also inquired about the variance request on the building height for one of the proposed buildings. Mr. Walsh stated that the variance request was an architectural stipulation in order to enable a pitched roof.

Another question was posed by Mark Morris who asked whether there would be an income requirement for the residents of the project and also expressed his concern regarding the 45' building height variance request. Mr. Walsh confirmed that an income requirement would be predetermined by the management company who would screen the tenants.

Carol Smith asked whether the previously proposed entrance on FM 2147 will be permanently used for emergency-access only. Mr. Walsh commented that it is not his intention to change it but that it will provide for an extra entrance in case of an emergency situation.

Chairman Norm Long inquired about Siena Grove Parkway, which was indicated as the main access to the property. Mr. Walsh confirmed that Mr. Ted Burget's group will be developing that street.

Mr. Ron Mitchell spoke in favor of the pitched roof and stated that from an aesthetic standpoint it is much more favorable than a flat roof.

Carol Smith reiterated that her main concern is regarding the entrance, due to safety reasons, particularly for horse riders across the street in Bay Country. Mr. Eric Winter commented that the Knox box at that entrance will only be accessible by emergency personnel.

Chairman Norm Long closed the public hearing at 3:35pm. Mr. Winter stated that the City is still awaiting a response from Mr. Walsh regarding the list of staff comments and outstanding items from the application and therefore he would be uncomfortable for any action to be taken by the Commission prior to those items being addressed. Mr. Walsh asked the Commission to give him a couple of days to address the items so that the project could go before the City Council on May 16th. Mayor Steve Jordan recommended that the Commission give a conditional approval and put the onus on Mr. Walsh to provide Mr. Winter with the items in question.

Commission Member Neil Andrew asked if Mr. Walsh has a topographical map which would give a better sense of what the 45' roof line would look like. Mr. Walsh stated that he could get that from Mr. Burget's group.

Commission Member Lynette Morrison expressed her concern that additional clarity and transparency is required regarding the project scope and size of the project. She emphasized that there is a need to bring forth the entire list of variances that are being requested for this project, as it compares to the recently approved The Parks at Horseshoe Bay Planned Development. She also stated that the public notices need to include clear and accurate information so that the public is well informed.

Mr. Winter suggested that Mr. Walsh put out another public hearing notice in The Horseshoe Bay Beacon and The Highlander that explains all the different sizes of buildings he is requesting in the current proposal compared to what is allowed in The Parks at Horseshoe Bay Planned Development.

Mayor Steve Jordan commented that initially, Mr. Walsh's projections had been included in The Parks at Horseshoe Bay's PD proposal but that later on those plans were removed; therefore, there was no inclusion of Mr. Walsh's needs in terms of height and square footage in the final The Parks at Horseshoe Bay PD Ordinance that was approved.

Commission Member Lynette Morrison also discussed the idea of having a construction entrance off of SH 71, which would be an option to develop the project with a minimal impact on the Bay Country residents. She noted that it will be important for Mr. Burget's group to be involved and in agreement for this to be implemented.

There was much discussion and consideration regarding the conditions, particularly the revised public notices, that the applicant would have to meet in order for the proposal to go before City Council at the May 16th meeting. Mr. Walsh expressed his concern that financing is a challenge and that additional delays may jeopardize the project's funding. Becky Collins discussed her concern that there is a lack of communication between Mr. Burget's group and Mr. Walsh's group, which has caused a lot of the issues that are currently being brought up. She also re-emphasized the need for clarity and full disclosure of project specifications in public notices.

Chairman Norm Long asked for a motion from the Commission. Commission Member Wayne Anderson made a motion to approve the project with Mike Walsh providing Eric Winter with information addressing the conditions in the staff report, which was seconded by Commission Member Pat Bouchard. Commission Member Lynette Morrison asked for clarification on the conditions, which were discussed by the Commission. The motion passed unanimously (5-0).

5. Public Hearing on a request for a recommendation to City Council to rezone Lot 40 of the Replat of Westgate Subdivision in Zone 3 Horseshoe Bay West from R-1 Single Family Residential to A-1 Recreational to allow development of a swimming pool, 3 covered decks and a bathhouse. Frater USA, Applicant:

Chairman Norm Long called on Eric Winter who explained the applicant's request, which was to down-zone an approximately 1 acre lot from R-1 Single-Family Residential to A-1 Recreational in the Westgate Subdivision. He noted that the down-zoning will be rezoning the lot into a more restrictive classification, and therefore it is not considered spot zoning. Staff was not aware of any objections to the amendment and recommended that the Commission recommend approval to City Council.

Chairman Norm Long opened the public hearing at 4:20 P.M. The applicant's architect, Curtis Fish, discussed the project proposal, which includes: 3 covered pavilions, 7 parking spaces, and additional cart parking. He also noted that the layout of the site took care to protect the privacy of adjacent lots through the use of landscaping and retaining walls.

Commission Member Pat Bouchard inquired about the anticipated traffic flow. Mr. Fish noted that they do not anticipate much traffic flow, as the primary users of the amenities will be surrounding residents who live within a few hundred yards of the facility.

Chairman Norm Long stated that the project will be an upgrade for the Westgate community and closed the public hearing at 4:23 P.M.

Commission Member Neil Andrew made a motion to recommend approval of the rezoning request to City Council, which was seconded by Commission Member Wayne Anderson. The motion passed unanimously (5-0).

6. Adjournment:

Chairman Norm Long adjourned the meeting at 4:25 PM.

APPROVED this 6th day of June, 2017.

CITY OF HORSESHOE BAY, TEXAS

Norm Long, Chairman

ATTEST:

Eric W. Winter, Development Services Director